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Attorneys for Defendant  
OPENTABLE, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM FARRELL, on his own behalf and  
on behalf of all other similarly situated,

Plaintiff,

v.

OPENTABLE, INC., a Delaware corporation,  
d/b/a OpenTable.com,

Defendant.

Case No. C 11-01785-SI

**STIPULATION AND ~~PROPOSED~~ ORDER  
SETTING DATE FOR FILING OF  
PLAINTIFF'S MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

**RECITALS**

WHEREAS, on April 12, 2011, plaintiff William Farrell (“Plaintiff”) filed a putative class action lawsuit against defendant OpenTable, Inc. (“OpenTable”);

WHEREAS, Plaintiff and OpenTable (collectively, the “Parties”) reached a settlement of this Class Action, the terms of which were memorialized in an agreement “(Agreement)” between the Parties (Dkt. 26-1 – 26-5);

WHEREAS, this Court granted Preliminary Approval of Class Action Settlement and Class Certification on September 27, 2011 (Dkt. 29);

WHEREAS, the Agreement specifies that Plaintiff shall submit his papers in support of final approval “according to the briefing schedule set forth in Local Rules 7-2 and 7-3[.]” namely 35 calendar days before the final approval hearing date;

WHEREAS, this Court set the hearing for final approval of the Agreement on January 20, 2012;

WHEREAS, Plaintiff requested that OpenTable stipulate to continue the deadline for the filing of Plaintiff’s papers in support of final approval to January 6, 2012 so that Plaintiff can address the recently filed objection to the Agreement in the same brief as his motion for final approval and in light of the upcoming winter holidays; and

WHEREAS, OpenTable is amenable to granting Plaintiff an extension until January 6, 2012 to file his papers in support of final approval, so long as OpenTable’s deadline to file any statement regarding (non-opposition to) the Agreement is also extended until January 6, 2012.

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**STIPULATION**

NOW THEREFORE, it is stipulated and agreed to between the Parties that they shall jointly request the Court to continue the deadline for Plaintiff to file his papers in support of final approval to January 6, 2012. The Parties further stipulate and agree to request the Court to continue the deadline for OpenTable to file any statement regarding (non-opposition to) the Agreement until January 6, 2012.

Dated: December 13, 2011

EDELSON MCGUIRE LLC

s/ **William C. Gray**

WILLIAM C. GRAY (*Pro Hac Vice*)

Attorneys for Plaintiff  
WILLIAM FARRELL

Dated: December 13, 2011

COOLEY LLP

s/ **Michelle C. Doolin**

Michelle C. Doolin (179445)

Attorneys for Defendant  
OPENTABLE, INC.

**[PROPOSED] ORDER**

Plaintiff shall file his Motion for Final Approval of Class Action Settlement on 1/6/12. Any statement regarding (non-opposition to) the Agreement that OpenTable may wish to file is also due on 1/6/12.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

12/16/11

DATED



THE HONORABLE SUSAN ILLSTON  
U.S. DISTRICT COURT JUDGE

**FILER'S ATTESTATION**

Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that all parties have concurred in the filing of this Stipulation and [Proposed] Order Setting Date For Filing Plaintiff's Motion For Approval Of Class Action Settlement.

Dated: December 13, 2011

EDELSON MCGUIRE, LLC

s/ William C. Gray

William C. Gray (Pro Hac Vice).

Attorneys for Plaintiff  
William Farrell

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